

REMARKS

Claims 1 and 3-7 have been canceled. Claim 20 and new Claims 21-27 are active in the case. Claims 2 and 8-19 stand withdrawn from consideration. Reconsideration is respectfully requested.

Applicants' representative wishes to thank Examiner Kumar for the helpful and courteous interview of October 12, 2004. As a result of the discussion it is believed that the issues in the case have been clarified and that the prosecution of the application has been materially advanced.

The present invention relates to UV absorbers that have an affinity for textile fibers.

Claim Amendments

Claim 1 has been canceled in favor of new Claim 21. Claim 21 is Claim 1 in a recast form and in no way is of a changed scope over Claim 1. Further, Claims 3-7 have been canceled in favor of new Claims 22-26, which are word-by-word identical to the canceled claims. New Claim 27 is of very similar to new Claim 21, but is of narrower scope in that certain oligoamines have been deleted from group (a), carbonyl has been deleted from the definition of (X), n as 0 has been deleted, and in the definitions of groups (b), (d) and (e), hydroxyl groups have been deleted so that no ester bonding occurs. None of the new claims have introduced new matter into the case and entry of the new claims into the record is respectfully requested.

Prior Art Rejection

Claims 1, 3-7 and 20 stand rejected based on 35 USC 102 as anticipated by British Patent 1,246,236 or Gallagher et al, U.S. Patent 5,601,811. This ground of rejection is respectfully traversed.

As is clear from the present claims that are under rejection in this case, that a method of treating textile fabrics is claimed, for example, in which textile fibers are washed with a laundry detergent that contains the UV light absorbing compound of the invention. On the other hand, although the British reference discloses the treatment of the likes of products of cellulose (cotton) and other natural substances, the compound of formula (I) that is used for the treatment is not within the scope of the compound of formula (II) of the present claims. In compound (I) of the reference, the portion of the compound that corresponds to radical Y of the compound employed in the present method is the hydroxyoligoxyethylen radical. However, this radical is derived from α,ω -dihydroxyoligoxyethylen which is not a compound that defines compound Y of the present claims. Moreover, the compound of the reference does not suggest the UV light protecting compound of the present invention in any of its embodiments. Withdrawal of the rejection is respectfully requested.

As to the matter of the Gallagher et al patent, the same discloses water soluble and water dispersible quaternary ammonium compounds that contain a cinnamoyl group that are used in the specific context of being topically applied to individuals for the purpose of the protection of the skin from UV light. In fact, the purpose for using the quaternary ammonium salt forms of the compounds is to improve adhesion of the applied compounds to the skin. (col 2, lines 6-9). Thus, it is clear that the reference does not show or suggest a method of treating textile fabrics for the purpose of protecting the textile fabrics from UV radiation. This distinction is particularly of significance because in the prosecution of the present application, the Examiner has held that present claims 2, 8 and 9, which are directed to a method of protecting human skin from UV radiation by the protecting effect of fabrics treated with the present UV light absorber, represent a different invention category than the claims under active examination that are directed to a method of protecting textile fabrics themselves from UV light radiation. Clearly, if present method claims 1, 3-7 and 20 represent a different

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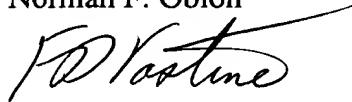
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invention category than present method claims 2, 8 and 9, then the invention described in Gallagher et al is a different invention entirely than that under active consideration in this case! Moreover, it should be noted that in the compound of formula (I) of the patent the cinnamoyl group is attached to an amine nitrogen atom of an α,ω -diaminoalkylene compound which is not a compound that is found in the group of compounds of the aliphatic and cycloaliphatic oligoamines of group (a) of the present claims. Clearly, the Gallagher et al patent does not anticipate the presently claimed invention and withdrawal of the anticipatory ground of rejection is respectfully requested.

It is now believed that the application is in proper condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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